THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.334 of 2003

Dated: 28.06.2007

Between:

Smt.Kongara Leelavathamma and others.

..... PETITIONERS

AND

The Project Officer, East Godavari District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.334 of 2003

ORDER:

The Special Deputy Collector (Tribal Welfare), Rampachodavaram Village, West Godavari District, passed order under Section 3(2) of the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (Regulation No.I of 1959, for brevity) on 07.11.2002 in L.T.R.P.No.3 of 1999 ordering eviction of the petitioners from the land admeasuring Acs.5.70 in survey No.55 situated at Jaddangi Village, Rajavommangi Mandal, East Godavari District. The petitioners filed an appeal under Section 3(3) of the Regulation No.I of 1959. As no orders of stay are passed therein, alleging that there is threat of dispossession, the petitioners filed instant writ petition. This Court, while admitting the writ petition on 07.01.2003, passed interim orders staying dispossession.

A counter-affidavit is filed by second respondent and the fact that the appeal before the Agent to Government is pending is not denied. Therefore, it is not proper for this Court to express any opinion on the merits of the case. It would be in the interests of justice to direct the appellate authority, first respondent herein, to dispose of the appeal filed by the petitioners against the order dated 07.11.2002 in L.T.R.P.No.3 of 1999. This exercise may be completed within a period of four weeks from the date of receipt of a copy of this order. Till then there shall be *status quo* as to the possession if the petitioners are still in possession of the land admeasuring Acs.5.70 in survey No.55 situated at Jaddangi Village, Rajavommangi Mandal, East Godavari District.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

28th June, 2007

ghn